



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
March 2, 2023
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- February 16, 2023

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations - Conservation Commission, Bicycle Pedestrian Path Advisory Committee, Partner City Committee

C. COMMUNICATIONS

1. Request for a Tree Removal - Marlboro Street - 310 Marlboro Street, LLC
2. Request to Use City Property - 2023 Keene Pride Festival
3. Proposed Public Art Piece - Historical Society of Cheshire County
4. Process to Consider the Downtown Infrastructure Improvement and Reconstruction Project - Councilor Raleigh Ormerod

D. REPORTS - COUNCIL COMMITTEES

1. Eversource's Request to Conduct Tree Trimming on Scenic Roads
2. Sole Source Construction Administration Contract: Wells Street Parking Structure
3. HUD Grant Application

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Process to Consider the Downtown Infrastructure Improvement and Reconstruction Project - City Attorney
2. Municipal Primary Charter Amendments - City Clerk

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

1. Relative to the Library Board of Trustees
Ordinance O-2023-05

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

NON PUBLIC SESSION

ADJOURNMENT

02/16/2023

A regular meeting of the Keene City Council was held on Thursday, February 16, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Raleigh C. Ormerod, Bettina A. Chadbourne, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Councilor Gladys Johnsen arrived at 7:03 PM. Councilors Kris E. Roberts and Catherine I. Workman were absent. Councilor Bosley led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that on February 21 there would be a second informational meeting for the downtown infrastructure project that will be held at the Keene High School auditorium. This session will start at 6:00 PM. At this meeting, City staff and the City's consultant will present on the project and feedback received at the last informational meeting. Following the presentation, the public will be invited to approach microphones and provide their thoughts and comments. Mayor Hansel looked forward to seeing all the Councilors there. Additionally, Mayor Hansel shared that on Wednesday, March 1, the City's annual legislative delegation meeting would be held at 6:00 PM in Council Chambers. The Mayor hoped to see everyone there. Finally, Mayor Hansel announced that as required in the City Council's Rules of Order, the City Clerk provided a paper version of the annual Statement of Interest Form for any remaining Councilors to complete. The forms should be completed and returned to the City Clerk's Office.

MINUTES OF THE PREVIOUS MEETING

A motion by Councilor Powers to adopt the minutes of the February 2, 2023, regular meeting as printed was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors Present and voting in favor. Councilors Roberts and Workman were absent.

PRESENTATION – BRANDING – PROMOTING THE MONADNOCK REGION – KEENE AND PETERBOROUGH CHAMBER

Mayor Hansel welcomed Julie Schoelzel, the Keene and Peterborough Chamber of Commerce's Project Manager of the Promoting the Region Initiative, for a presentation on branding the Monadnock Region. Ms. Schoelzel thanked the Council for this opportunity. She recalled that the Chamber had hired the North Star consulting (place and branding) firm in October 2020. North Star visited Keene and met with City Staff, Councilors, and over 200 people. This firm has been doing this sort of work for more than 20 years in over 300 communities, from large cities like New Orleans to smaller communities like Keene. The Chamber worked with these consultants for approximately one year to uncover branding for the Monadnock Region. The process progressed from research to strategy, to creativity, and to action.

Ms. Schoelzel said that for over one month there was an online survey, the 858 responses. This was the second largest number of responses the consultants had seen in 10 years. The number of survey responses from each town were proportional to the town sizes, with the most responses

from Keene. There were respondents from all towns in Cheshire County. There was also cold calling to people in Cheshire County and outside of it to gain more insight. A survey in 2020 also received over 2,000 unique responses. The consultants used all this research to prepare a “DNA Platform Statement,” which is a storyline that establishes the Monadnock Region’s DNA. This DNA Statement would be used to build marketing of the region with maximum brand impact. Ms. Schoelzel said that all communications and actions—including the logo and tagline—would literally and symbolically support the essence of the DNA Statement. She read the statement in full:

For those drawn to the natural beauty and energy of the outdoors, the Monadnock Region in the scenic SW corner of New Hampshire is remote but not removed and inspires the independence to follow your own path without having to stand alone, where you are free to make the best of every day.

Ms. Schoelzel continued by saying that there was ample discussion about every word used in the DNA Statement. The goal was to acknowledge logistically that Keene exists in southwest NH. She said there was a fine line to not represent the region as only for outdoor rural hikers because there are vibrant cities and charming towns in the region as well. People can follow their independence in the Monadnock Region, which is a strong part of the region’s identity. She said that in this region, people do not just live for the weekend, but they can thrive during the week with access to rural and city activities.

Ms. Schoelzel showed a photo of the new Monadnock Region logo and tagline, which reads: “within thriving distance.” The logo was presented with autumn colors that people associate with New England. The logo also shows Mount Monadnock. She said the arrow in the logo was to indicate modernity and energy in the region. She added that the Chamber’s whole marketing campaign was meant to reach people within two hours of the region, making it clear that they can visit the Monadnock Region for a day trip. The goal was to indicate that this part of NH is not just rural areas, but also thriving communities. Ms. Schoelzel showed various images of how the logo could be used in marketing efforts, demonstrating that there are opportunities to thrive within a two-hour drive from major locations like New Haven, CT, and Worcester, MA. The Chamber would be launching an advertising campaign within a few weeks after this meeting. Ms. Schoelzel said it was important to highlight the quality of life available in this region, which is an excellent place to live and work. She said one of the greatest perks of the region is the environmental beauty available outside. She also shared images of how the branding could be used on social media to draw new visitors and community engagement. Ms. Schoelzel encouraged everyone to visit the website: www.monadnocknh.com, which includes a Monadnock Region guide that would be published by Yankee Publishing this year and shared with all their subscribers. Ms. Schoelzel showed some sign mock-ups, noting the hope that many towns would adopt the signs to show the unity and robust community in the region. She also showed examples of how the logo could be used on merchandise as well, such as socks that would be sold at Ted’s Shoe and Sport.

Ms. Schoelzel continued explaining the growth strategies for this branding in the short term of one-to-two years, which are to: (1) entice and engage new visitors, and (2) recruit new residents and workforce. These short-term goals are anticipated to have a residual impact on higher education institutions. The long-term focus of this branding is to attract new businesses as the workforce grows. The target audience of this marketing is people aged 28–45 years old, as well as new and soon to be families seeking a higher quality, more family friendly getaway and lifestyle. Ms. Schoelzel discussed four marketing pillars demonstrated on the website: (1) visit here, (2) live here, (3) work here, and (4) learn here. She said there was an effort to “cross pollinate” those pillars as much as possible. She cited the example of working with local hotels to email patrons the website and more information on this region—i.e., jobs and homes available. The Chamber plans to test this media effort in Hartford and New Haven, CT, and Worcester, MA. They would also advertise in Manchester, NH, to attract commuting workers.

Ms. Schoelzel said there was \$70,000 available for the first digital advertising campaign that includes emails, podcasts, and videos on streaming services, for example. There would also be local advertising in the Sentinel and at the Colonial, for example. The Chamber would continue working on other ways to drive people to the website, which could help local businesses and colleges in their marketing and recruitment efforts. Marketing to the colleges in this way could help entice students to stay in the region as either residents or employees after their studies. The Chamber continues to fundraise for this effort. The Chamber received an Economic Development Administration grant in 2021, American Rescue Plan (ARP) funds from Cheshire County in 2022, and three rounds of Joint Promotional Program funds from the NH Division of Tourism; these grants covered more than \$50,000 of costs. The Chamber was also invited to apply for additional ARP funds from Hillsboro Country, which Ms. Schoelzel called extremely exciting. Ms. Schoelzel concluded her presentation by welcoming questions and saying that anyone seeking information can contact her at jschoelzel@keenechamber.com or Luca Paris, Chamber President, at lparis@keenechamber.com.

Councilor Ormerod said this was one of the best efforts he had seen because the Chamber considered who to attract to the region and what to do to get them here. He said this was not “just patting ourselves on the back,” but was very targeted. The Councilor asked what the boomerang indicated at the top of the logo. Ms. Schoelzel that was actually an arrow, which was meant to be an artistic element indicating a sense of momentum and all of the long-term possibilities that exist here. For example, it was meant to indicate that there is upward employment mobility in the region.

Councilor Jones thought it was great that demographics were considered. He wondered whether there was deeper analysis of blue collar, versus white collar, versus work from home, etc. Ms. Schoelzel replied that the marketing would try to match with the audience of where we live. She said the Councilor’s point was a good one because there are different types of jobs to fill in the region, which would be taken into account.

Mayor Hansel thanked Ms. Schoelzel for the presentation.

PUBLIC HEARING – ORDINANCE O-2022-19-A

Mayor Hansel opened the public hearing at 7:21 PM and the City Clerk read the public hearing notice. Mayor Hansel welcomed the Community Development Director, Jesse Rounds, and Senior Planner, Mari Brunner.

Ms. Brunner provided a high-level overview of the changes proposed for Ordinance O-2022-19-A, in which she said City Staff had internally been referring to as a “clean-up ordinance.” Ms. Brunner proceeded by describing the first proposed amendment to Article 9, which deals with parking and driveways, and specifically Section 9.3.2.2. This section has a required three-foot setback from the side property line for all driveways. Staff proposed to clarify that the three-foot setback would not be required for a common driveway because that is how Staff had always interpreted it. Ms. Brunner said the amendment would clarify that when there is a common driveway serving more than one lot, there would be a point when the driveway would cross the property line to access both lots. Thus, the common portion of the driveway would not be subject to the three-foot setback.

Next, Ms. Brunner described the second proposed change. This change was to the Surface Water Protection Ordinance in Article 11, specifically Section 11.6.1.3. The change was to eliminate redundant language that had caused some past confusion. The section stated that, “The construction of new roads, driveways (excluding single and family driveways) and parking lots are permitted with a Conditional Use Permit.” However, Ms. Brunner said there was a separate section of the same article that said single- and two-family driveways were allowed without a permit. Six criteria were listed that applicants had to meet, one of which was that the driveway serves to access uplands on a lot or lots of record that existed at the time that this overlay district was first adopted. Ms. Brunner said Staff felt it would be clearer to have all this information in one section to limit confusion for applicants. She said that as it was written, one could assume that all driveways for single- two-family homes were exempt from having to get a Conditional Use Permit (CUP).

Ms. Brunner discussed the third amendment, which was for Article 13, the Telecommunications Overlay District, Section 13.1.3.C. This amendment would clarify that co-location and modification applications, which are defined in NH RSA-12K, would be exempt from the requirement to obtain a CUP and major site plan review. Ms. Brunner said that instead of just referring to the RSA, Staff tried to define those terms in their own words that were clearer and easier for everyone to understand. Thus, when members of telecommunications firms come to the Community Development Department and apply to install telecommunications facilities, they would know what those terms mean.

On a similar topic, Ms. Brunner said the next amendment was proposed for Section 13.2.5, which is about camouflaging telecommunications facilities, and specifically Table 13-1. This change would clarify that the installation of a brand new facility on an existing building or structure where there is no facility would require a CUP and major site plan review. As written, this section had created a loophole so that when a new antenna is proposed on top of an existing

building where there is not one currently, it would be exempt. The proposed amendment would clarify that a CUP and site plan review would be required, which was how it was before the Land Development Code went into effect.

Ms. Brunner said the next proposed amendment was to Article 15, which is the Congregate Living and Social Services CUP section of the Zoning Ordinance. This amendment would add a new section called CUP Waiver that would allow the Planning Board to grant a waiver from the review criteria in Section 15.2 on a case-by-case basis. As written, if an applicant before the Planning Board could not meet one of the criteria, they would have to go to the Zoning Board for a variance. This proposed change would allow an applicant to get that permission from the Planning Board, eliminating the need to appear before two public bodies. Ms. Brunner noted that there was some deliberation about this change at the public workshop.

The next proposed amendment was outside of the Zoning regulations in Section 25.4.3 of the Land Development Code on application procedures. The amendment would modify how the Land Development Code is amended by clarifying that Articles 19–28 would not need to go through the Zoning Ordinance amendment process. Ms. Brunner said that the Zoning regulations rightfully go through a more robust public review process (City Council, Joint Planning Board-Planning, Licenses, and Development (PLD) Committee public workshop, the PLD Committee, and back to City Council). Staff proposed that everything outside the Zoning Ordinance would follow a regular ordinance process with the City Council. The proposed amendment would also mean that the Planning Board regulations in Articles 19–20 and specific sections of Article 25 would go to a public hearing before the Planning Board, then through the typical City Council Ordinance process; the same would be true for the Historic District Commission regulations.

Ms. Brunner reviewed the last proposed amendment, which was introduced at the public workshop on January 9. This was an amendment to the Parking Reduction section of Article 9 of the Zoning Ordinance. As written, this section indicated that if there is ever an applicant who cannot—for any reason—meet the parking minimums for their site, they can request up to a 10% reduction administratively if they can demonstrate certain criteria. If the applicant wants to reduce their parking requirement by more than 10% but less than 50%, they can do so through a special exception request to the Zoning Board of Adjustment; a parking survey by a qualified professional would be required and the applicant would have to meet specific parking criteria and general special exception criteria. Ms. Brunner said one applicant went through this process in late 2022 and the Zoning Board struggled to apply the general use-dependent special exception criteria to a parking request because parking is generally an accessory activity to the site’s main use. Thus, the Zoning Administrator, John Rogers, initiated this proposed amendment, which is to remove the requirement that said applicants meet the general exception criteria.

Ms. Brunner concluded that this Ordinance was presented as an “A” version because of this last amendment she reviewed. She said there were no public comments during the public workshop but that there was some deliberation during the Joint Committee meeting, specifically regarding Article 15. While she was not speaking for anyone on those two committees, Ms. Brunner stated


her understanding that the main concern was for allowing the Planning Board to grant a waiver from standards that were created through a very long, involved, and robust public input process. She said there was a motion during the Joint workshop to remove the proposed change to Article 15 from the Ordinance. There was a split vote on the matter and ultimately a Planning Board voted to find the Ordinance consistent with the City's Comprehensive Master Plan, and the PLD Committee voted to request that the Mayor set this public hearing. Ms. Brunner welcomed questions. Mayor Hansel noted that these amendments would be discussed again by the PLD Committee, and they could split those items.

Councilor Ormerod asked whether the parking issue only applied to businesses or to residences as well. Ms. Brunner said that it applied to commercial properties and that all multi-family residential properties are considered commercial. She continued that single- and two-family homes do have parking requirements, but they are not the same as a commercial or multi-family property that would go through that type of process. Councilor Ormerod questioned how many units qualify as multi-family and Ms. Brunner replied three or more.

Councilor Jones discussed congregate living and social services. He said that many years ago, he asked that the City rezone the three commercial nodes within the City so that congregate living and social service uses are not allowed in that area. He said that just one of those uses could "kill that node." Councilor Jones continued with his suggestion to create a new zone specifically for those nodes, which he said serve a great purpose and are included in the goal to be a walkable City. Councilor Jones wanted to see a change to prevent congregate living and social service uses in the nodes. The Councilor concluded that this had nothing to do with the current presentation.

Councilor Madison asked whether the parking and commercial land uses would apply to short-term rentals like Airbnb or whether those remain unclassified. Ms. Brunner said it was a good question and her understanding was that short-term rentals like Airbnb are not necessarily regulated or recognized as a specific use under the Keene City Code. Therefore, the parking requirement for a short-term rental would default to whatever use that residence is classified as.

There were no comments from the public and no further comments from the Council. Mayor Hansel closed the public hearing at 7:37 PM except for written public comments, which would be accepted until 1:00 PM on Tuesday, February 21, 2023. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record.

A true record, attest: 
City Clerk

CONFIRMATIONS – ENERGY AND CLIMATE COMMITTEE; HUMAN RIGHTS COMMITTEE

Mayor Hansel nominated Kenneth Swymer to serve as a regular member of the Energy and Climate Committee, with a term to expire December 31, 2023. The Mayor also nominated Tedd

Benson to serve as an alternate member of the Human Rights Committee, with a term to expire December 31, 2024. A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor.

FOP REPORT – DONATIONS – PATHWAYS FOR KEENE AND MONADNOCK CONSERVANCY – TRANSPORTATION HERITAGE TRAIL

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept a donation of \$40,000.00 from Pathways for Keene, Inc. and \$12,000.00 from the Monadnock Conservancy and that the money be allocated for the Transportation Heritage Trail Phase 1 project. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Jones is a member of the Board of Directors of Pathways for Keene and he cited a few milestones. First, \$40,000 is the largest donation Pathways for Keene has ever made to the City. Second, with these donations the organization would have donated more than \$750,000 to the City of Keene, not including in-kind donations. Councilor Jones stated he was proud of this effort and congratulated the City. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

FOP REPORT – DONATION – KEENE ROTARY CLUB – WAYFINDING FOR TRAILS AND PARKS

A Finance, Organization, Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept a donation of up to \$35,000.00 from the Keene Rotary Club and that the money is allocated for wayfinding for the trails and parks. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. Councilor Jones thanked the Rotary on behalf of Pathways for Keene because the matter was on their agenda as well. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

FOP REPORT – ACCEPTANCE OF FEDERAL FORFEITURE MONIES

A Finance, Organization, Personnel Committee report read on a vote of 5–0, recommending that the City Manager be authorized to do all things necessary to accept Federal forfeiture monies in the amount of \$13,396.97. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams recalled that during the FOP discussion, a member of the public raised concerns about this money coming to the City as a result of a drug forfeiture from the war on drugs. Councilor Williams said he shared this concern because this is not ordinary money the City receives as a donation. He said it was important to recognize that there was a lot of pain behind this money. He hoped the funds could be designated for the purpose of harm reduction so

it could heal some of the damage that drugs and the war on drugs caused. Councilor Williams understood that the City had an opioid settlement account, which the City would have to decide what to do with, and he thought this donation could be allocated to the settlement. He recalled Councilor Madison mentioning the need for more sharps and needle disposal facilities in the City. Councilor Williams thought this donation could be used for that purpose as well. He thought there needed to be greater discussion of how these funds would be used.

A motion by Councilor Williams to send this matter back to the Finance, Organization, and Personnel Committee for further discussion was duly seconded by Councilor Giacomo. The motion to send this matter back to Committee failed on a vote of 6–7. Councilors Giacomo, Williams, Madison, Ormerod, Chadbourne, and Bosley voted in favor.

The motion to carry out the intent of the Committee report carried unanimously with 12 Councilors present and voting in favor and 1 opposed. Councilor Williams voted in the minority. Councilors Roberts and Workman were absent.

FOP REPORT – ACCEPTANCE OF LOCAL SOURCE WATER PROTECTION GRANT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept, execute, and expend a Local Source Water Protection grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of \$14,200 to perform a property survey around the West Street wellfield. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

FOP REPORT – DISCUSSION – CITY CHARTER AMENDMENT REGARDING THE MUNICIPAL PRIMARY

A Finance, Organization, and Personnel Committee report read, recommending accepting the communication from Councilor Filiault as informational. Mayor Hansel announced that the City Clerk would be preparing a follow-up memorandum for the next City Council agenda with respect to the advice she received from the Secretary of State on how Keene conducts its municipal primaries.

Councilor Filiault said this was in response to a letter he wrote. The Councilor had no issue with his communication being accepted as informational. He said a review of the Charter should be reviewed annually. Councilor Filiault applauded the City Clerk and City Attorney for the many hours they put into this. Mayor Hansel filed the FOP report as informational.

CITY MANAGER COMMENTS

The City Manager began by reporting that the next Municipal Services, Facilities, and Infrastructure Committee meeting would include an informational Public Works Department presentation about infrastructure and the capital planning process. Public Works Staff would provide information about how the City calculates the cost of infrastructure projects and how they are planned for in the CIP to avoid spikes in the tax rate. Staff had received some questions about this matter. The City Manager said she discussed this with Councilor Greenwald personally and she thought it would be a helpful conversation for the whole Council to be apprised of. The City Manager said the Capital Plan is used to budget for infrastructure investments over time to minimize spikes in the tax rate from larger projects and equipment purchases. Public Works staff would use examples from the downtown infrastructure project during the presentation. The City Manager hoped that most of the Councilors would be able to attend this meeting and if not, watch it remotely.

The City Manager concluded her remarks by sharing an update on Senate Bill 110. Last week, the City's Human Services Director, Natalie Darcy, and the City Manager went to Concord, NH, to testify in support of the Bill, which was put forward on the City's behalf by Senator Fenton. There was supporting testimony from the NH Welfare Administration. Additionally, Keene's City Attorney worked with the NH Municipal Association and NH Legal Assistance after the hearing to address wording concerns mentioned by the Chair of the Senate Committee and arrived at an agreement. The City Manager said this Bill would clarify that individuals receiving temporary housing assistance—at a motel, hotel, shelter, jail, or hospital—does not relieve the individual's starting community (before the assistance) from paying for that individual's assistance. The City Manager said this is an amendment to the Welfare Law in NH. The City Manager stated her hope that the legislation will make it through the Senate process and be a topic of discussion at the Legislative Delegation meeting in March. Mayor Hansel said this was a big deal because it goes beyond recuperating some funds—which he said was not the real reason—and ensures that surrounding communities are forced to come to the table, recognize the issue many cities are dealing with and talk about solving the problem.

ACCEPTANCE OF DONATIONS – FINANCE DIRECTOR/TREASURER

A memorandum read from the Finance Director/Treasurer, Merri Howe, recommending that the City Council accept a donation totaling \$1,550 from the Savings Bank of Walpole and Bensonwood for a showing of the movie TILL at the Colonial Showroom. The memorandum noted this showing is in conjunction with the Human Rights Committee and the Moadnock DEIB Coalition. Councilor Powers made a motion to accept the donation and authorize the City Manager to use the donation in the manner specified by the donor. Councilor Remy seconded the motion, which carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

02/16/2023

ORDINANCE FOR SECOND READING – RELATING TO PERSONNEL SYSTEMS & PROCEDURES – ORDINANCE O-2023-03

A Finance, Organization, and Personnel Committee report read, recommending the adoption of Ordinance O-2023-03. Councilor Powers made a motion to adopt Ordinance O-2023-03 with an effective date upon adoption for Sec 62-501 dealing with “Family and Medical leave” and an effective of 7/1/2023 for Sec 62-611 “Insurances.” Councilor Remy seconded the motion,

The City Manager said another part of this Ordinance amendment is related to the Family Medical Leave Act (FMLA) and leave provisions for the purposes of birth, placement, or bonding of a child. Under the City Code before this Ordinance, the City provided the minimum amount of leave (12 weeks) *continuously*. The change with this Ordinance’s adoption allows for taking those 12 weeks of leave intermittently to allow for unique situations, such as when parents share daycare responsibilities. This allows greater flexibility for employees and the City Manager said current employees are interested in utilizing this.

The motion to adopt Ordinance O-2023-03 with the effective dates listed carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

RELATING TO THE ACCEPTANCE AND APPROPRIATION OF UNANTICIPATED REVENUE – RESOLUTION R-2023-07

A Finance, Organization, and Personnel Committee report read, recommending the adoption of Resolution R-2023-07. A motion by Councilor Powers to adopt Resolution R-2023-07 was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

RELATING TO THE OPTIONAL VETERANS’ TAX CREDIT *AND* RELATING TO THE ALL VETERANS’ TAX CREDIT – RESOLUTIONS R-202308 *AND* R-2023-09

A Finance, Organization, and Personnel Committee report read, recommending the adoption of Resolutions R-2023-08 and Resolution R-2023-09. A motion by Councilor Powers to adopt Resolution R-2023-08 and repeal Resolution R-2018-06 was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent. A motion by Councilor Powers to adopt Resolution R-2023-09 and to repeal Resolution R-2021-27 was duly seconded by Councilor Remy. The motion carried on a unanimous vote with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

ADJOURNMENT FOR COLLECTIVE BARGAINING STRATEGIES

At 8:06 PM, Mayor Hansel adjourned the meeting for collective bargaining strategies. The public meeting reconvened at 8:15 PM.

02/16/2023

AFSCME COUNCIL #93 – LOCAL 2973

A motion by Councilor Powers to authorize the City Manager do all things necessary to execute the negotiated contract with AFSCME Council #93 – Local 2973 to be effective July 1, 2022, through June 30, 2025, was duly seconded by Councilor Bosley. The motion carried on a unanimous vote with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

KEENE POLICE DEPARTMENT SUPERVISORS – TEAMSTERS LOCAL 603

A motion by Councilor Powers to authorize the City Manager do all things necessary to execute the negotiated contract with Keene Police Department Supervisors, Teamsters Local 603 to be effective July 1, 2022, through June 30, 2026, was duly seconded by Councilor Bosley. The motion carried on a unanimous vote with 13 Councilors present and voting in favor. Councilors Roberts and Workman were absent.

Having no further business, the Mayor adjourned the meeting at 8:17 PM.

A true record, attest: 
City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From:
Through:
Subject: **Nominations - Conservation Commission, Bicycle Pedestrian Path Advisory Committee, Partner City Committee**

Council Action:
In City Council March 2, 2023.
Nominations tabled until the next regular meeting.

Recommendation:
 I hereby nominate the following individuals to the designated Board or Commission:

Conservation Commission
 Deborah LeBlanc, slot 8 - alternate Term to expire Dec. 31, 2025
 68 Gilsum Street

Bicycle Pedestrian Path Advisory Committee
 Janelle Sartorio, slot 10 - alternate Term to expire Dec. 31, 2025
 6 Kendall Road

Partner City Committee
 Gerald Lens, slot 10 - alternate Term to expire Dec. 31, 2025
 11 Welcome Hill Road, Chesterfield

- Attachments:**
1. LeBlanc, Deborah_Redacted
 2. Sartorio, Janelle_Redacted
 3. Lins, Gerald_Redacted

Background:

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: FW: Interested in serving on a City Board or Commission
Date: Thursday, January 5, 2023 4:35:33 PM

For redaction and saving in the appropriate directory. thanks

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Thursday, January 5, 2023 4:25 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 01/05/2023 - 16:25</p>

<p>Submitted values are:</p>

First Name:

Deborah

Last Name:

LeBlanc

Address

68 Gilsum Street #2

How long have you resided in Keene?

1.5 years

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

Retired

Occupation:

RN

Retired

Yes

Please list any organizations, groups, or other committees you are involved in

None at present

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be most interested in serving on.

Congregate living and social services licensing board, Conservation Commission, Historic District Commission, Human Rights Committee, Keene Housing Authority, Library Board of Trustees, Partner City Committee

Please let us know the Board or Commission that you are most interested in serving on.

Keene housing authority

Optional - Please select your second choice of which Board or Commission you would like to serve on.

Conservation

Optional - Please select your third choice of which Board or Commission you would like to serve on.

Library

Please share what your interests are and your background or any skill sets that may apply.

I have been an RN for 30 years, I am an avid hiker and animal lover. I've been a CPR instructor I've worked in Manchester on the women's crisis service. I've been a big sister through if brother and big sister.

Suggest other public bodies of interest

Parks and trails in the city. Housing for seniors and elder care.

Please provide 2 personal references:

Diane Raynor

[REDACTED]

References #2:

Karen Elsassieur

[REDACTED]

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: FW: Interested in serving on a City Board or Commission
Date: Tuesday, February 28, 2023 9:29:49 AM

[Save and redact](#)

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Tuesday, February 28, 2023 9:08 AM
To: Helen Mattson <hmattson@ci.keene.nh.us>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 02/28/2023 - 09:08</p>

<p>Submitted values are:</p>

First Name:

Janelle

Last Name:

Sartorio

Address

6 Kendall Road, Keene, NH

How long have you resided in Keene?

35

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

NHTrust

Occupation:

Financial Advisor

Retired

No

Please list any organizations, groups, or other committees you are involved in

Board Member for Pathways for Keene, Inc

Treasurer for Keene Pride

DCI Committee Member for Keene Family YMCA

Have you ever served on a public body before?

No

Please select the Boards or Commissions you would be most interested in serving on.
Bicycle/Pedestrian Path Advisory Committee

Please let us know the Board or Commission that you are most interested in serving on.
Bicycle/Pedestrian Advisory Committee

Please share what your interests are and your background or any skill sets that may apply.

I am currently on the board for Pathways for Keene which has a mission of supporting the bike and pedestrian trails within Keene. I am a life long resident of the Keene area and spent a lot of mu time growing up on the trails around the Ashuelot River. I use the trails now for running and also bike to work in the summer. I believe having a network of alternative transportation routes an extensive network of trails is part of what makes Keene an attractive place to live.

Please provide 2 personal references:

Jan Manwaring

[REDACTED]

References #2:

Rowland Russell

[REDACTED]

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: Fwd: Interested in serving on a City Board or Commission
Date: Sunday, February 26, 2023 5:55:22 AM

Save and redact

Sent from my U.S.Cellular© Smartphone
Get [Outlook for Android](#)

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene
<helpdesk@ci.keene.nh.us>
Sent: Saturday, February 25, 2023 9:04:41 PM
To: HMattson@ci.keene.nh.us <HMattson@ci.keene.nh.us>
Cc: PLittle@ci.keene.nh.us <PLittle@ci.keene.nh.us>; THood@ci.keene.nh.us
<THood@ci.keene.nh.us>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Sat, 02/25/2023 - 21:04</p>

<p>Submitted values are:</p>

First Name:

Gerald

Last Name:

Lins

Address

11 Welcome Hill Road, #421
West Chesterfield, NH 03466

How long have you resided in Keene?

I have resided in Cheshire county for almost a year.

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

N/A--I am retired.

Occupation:

I co-author books and work as a independent consultant/lawyer.

Retired

Yes

Please list any organizations, groups, or other committees you are involved in

I am looking to become involved with the Partner City Committee. I am also in the process of

becoming involved with the Monadnock Habitat for Humanity organization.

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be most interested in serving on.

Partner City Committee

Please let us know the Board or Commission that you are most interested in serving on.

Partner City Committee

Please share what your interests are and your background or any skill sets that may apply.

I received an A.B. degree in Germanic Language and Literature from the University of Michigan (Ann Arbor) in 1981. I speak German relatively well and have continued my studies in the language (online classes, etc.)

In addition, I have spent time in Dusseldorf, Germany as an intern with the Stadt-Sparkasse Bank.

Please provide 2 personal references:

Kevin McMahon

[REDACTED]

References #2:

Jodi Erlandsen

[REDACTED]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Randall Walter/310 Marlboro St. LLC
Through: Patricia Little, City Clerk
Subject: Request for a Tree Removal - Marlboro Street - 310 Marlboro Street, LLC

Council Action:

In City Council March 2, 2023.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

Recommendation:

Attachments:

1. 310 Marlboro St LLC_communication

Background:

Randall Walter, Manager of 310 Marlboro St. LLC, is requesting permission to remove an ornamental tree per the site plan approved by the Planning Board. He plans to replant a pin oak tree.

February 16, 2023

Mayor George S. Hansel & City Council
3 Washington St.
Keene, NH 03431

Dear Mayor Hansel and City Council:

It has been brought to our attention that the ornamental tree slated for removal per the site plan approved by the Planning Board is not on 310 Marlboro Street's property. In order for 310 Marlboro Street to move forward with the new layout of the parking lot this tree will need to be removed. As we have described all along, the proposed site plan both improves circulation and safety of the parking lot.

We are, therefore, requesting authorization to remove the ornamental tree from the public Right-of-way. We will be planting a pin oak tree in the old curb cut with a trunk of 2.5" or greater as measured 6 inches above the ground.

Sincerely,



Randall Walter
Manager, 310 Marlboro St. LLC



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Adam Toepfer
President - Keene Pride
Through: Patricia Little, City Clerk
Subject: Request to Use City Property - 2023 Keene Pride Festival

Council Action:

In City Council March 2, 2023.

Referred to the Planning, Licenses and Development Committee, with the request going on more time to allow protocol meetings to be held.

Recommendation:

Attachments:

1. Keene Pride Communication

Background:

Mr. Toepfer is requesting a license to use City property to conduct the second annual Keene Pride Festival on Sunday, September 17, 2023.



The Honorable Mayor and City Council
Keene City Hall
3 Washington St.
Keene, NH 03431
Re: 2023 Keene Pride

After the incredible success of Keene Pride Fest 2022, we would like to continue the annual tradition for 2023. Keene Pride Week will take place between 9/9/23 and 9/17/23. We are requesting use of city property on Sunday 9/17/23 for Keene Pride Fest.

The week-long pride event will culminate on Sunday September 17, 2023 with a “block party” from 12pm – 6pm which will include entertainment, food, and local vendors. For this day, we request from the City:

- Close the street surrounding Central Square
- Close Roxbury Street from Central Square to the Green Energy Solutions building
- Request proper barriers from Public Works Department to provide adequate safety
- Request use of City Power/Electricity
- Request the support of Police and Fire
- Request City Water in the event that vendors require

We believe this will be a highly desirable attraction that will bring tourism to local businesses. We plan on marketing this event to the Monadnock Community and beyond. We also plan to leverage the beauty of the fall foliage season in conjunction with the event to draw more people.

As required, we will provide a \$1 Million certificate of insurance to the City, and work closely with City staff to ensure this event is safe and enjoyable for all.

We would like to stress that this is intended to be a family friendly event. Our intention is to reach out to local schools to be involved with helping to decorate and plan. The primary purpose of Pride is to celebrate diversity, bring awareness and support our LGBTQIA+ community; however, ALL are welcome and encouraged to attend.

Adam Toepfer
Board President



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Judy Rogers/Historical Society of Cheshire County
Through: Patricia Little, City Clerk
Subject: **Proposed Public Art Piece - Historical Society of Cheshire County**

Council Action:

In City Council March 2, 2023.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

Recommendation:

Attachments:

1. Communication Historical Society of Cheshire County
2. Proposed Public Art Piece for the City of Keene(2)
3. Public Art Image

Background:

The Historical Society of Cheshire County is submitting a proposal for a public art piece to be displayed in front of the their headquarters at 246 Main Street.

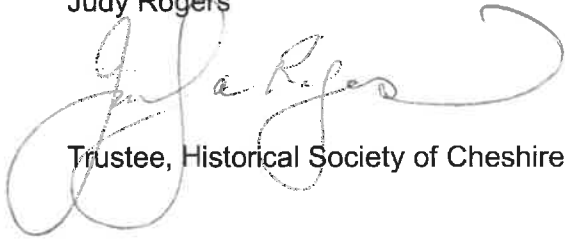
Dear City of Keene,

February 28, 2023

The Historical Society of Cheshire County respectfully submits this proposal for a public art piece. We are submitting an outline of the proposal and a mockup of the art piece. The piece, reflecting Keene's manufacturing heritage, is intended to be a fun and attractive welcome to Keene for people arriving via the main street corridor.

It is our hope that our proposed piece can be erected in the public right of way in front of our headquarters at 246 Main Street. We hope you agree that this piece will be a welcome addition to the Keene streetscape.

Sincerely,
Judy Rogers

A handwritten signature in cursive script, appearing to read "Judy Rogers", written in black ink. The signature is fluid and extends to the right with a long, sweeping tail.

Trustee, Historical Society of Cheshire County

Proposed Public Art Piece for the City of Keene

This is a proposal for a replica of a Kingsbury Toy Taxiplane as a public art piece. It is intended to highlight the Kingsbury Toy Collection at the Historical Society of Cheshire County.

Artist: Peter Poanessa will be creating the piece for the Historical Society of Cheshire County. Peter was chosen for his decades of experience creating durable, weather resistant works that heighten the overall character of our beautiful city.

The proposed piece of public art is intended to be permanently located in the right-of-way in front of the HSCC building at 246 Main St.

*The right-of-way between the sidewalk and on-street parking is a strip approximately 24 feet wide; the proposed piece at its widest point, the plane, is only 42 inches.

A mockup of the proposed piece is provided.

Construction materials will be chosen for low-maintenance durability.

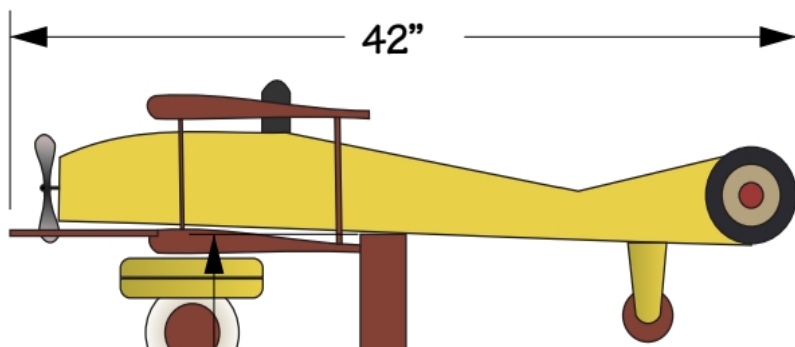
By placing this piece in the public right-of-way it will be safely out of the public thoroughfares. The main component of the piece, the Kingsbury Taxiplane, will be securely mounted to a steel railroad post and base, well above adult height to further ensure safety for the public and security for the piece itself.

Kingsbury Toys are a representation of the reputed manufacturing craftsmanship of the City of Keene.

Kingsbury of Keene, NH, began casting iron farm equipment toys. From 1894 to 1942, the Kingsbury Manufacturing Co. produced cast iron and pressed steel hay rakes, tractors, milk delivery trucks, wagons, carts, trains, boats, airplanes, and more.

The HSCC has an extensive Kingsbury Toy collection, the collection was recently moved to the first floor entry for better access for the public. The HSCC would like to encourage more visitors to stop in at the museum and enjoy the collected heritage of our city.

The piece is being funded by the HSCC through donor gifts.



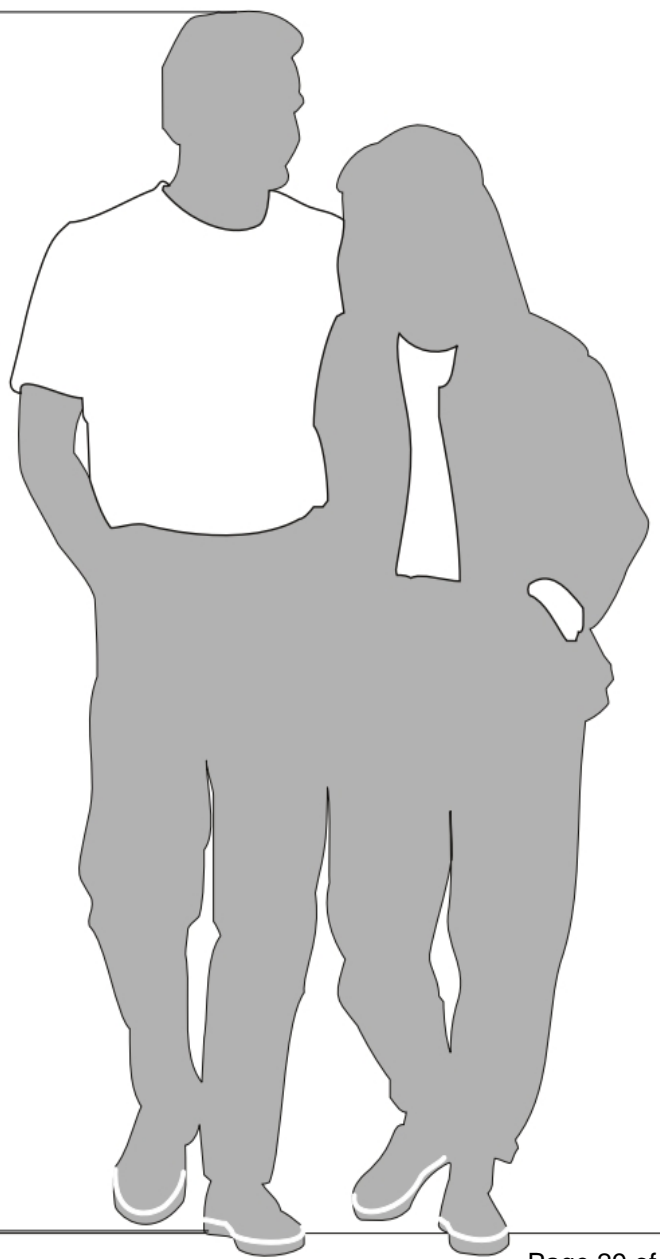
The Kingsbury
Toy Collection
at the
Historical Society
of Cheshire County

Kingsbury Taxiplane
Artist: Peter Poanessa

108"

heavy steel RR
post and base

72"





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.4.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Kurt Blomquist, ACM/Public Works Director
Through:
Subject: Process to Consider the Downtown Infrastructure Improvement and Reconstruction Project - Councilor Raleigh Ormerod

Council Action:
In City Council March 2, 2023.
Communication accepted as informational.

Recommendation:

Attachments:
1. Communication Downtown Process

Background:
Councilor Ormerod is sharing his thoughts on the process to be used to consider the Main Street Improvement and Reconstruction project.

28 February 2023

Councilor Raleigh Ormerod
4 Monadnock Ct.
Keene, NH 03431

To the Honorable Mayor Hansel and City Council,

This communication acknowledges the vision of a safer, less congested, more useful, and updated downtown that *should* result from the downtown corridor infrastructure and upgraded street, sidewalk, and amenities layout. After over a hundred letters of testimony and complaint and dozens of conversations, I agree with Mayors Hansel, Mayor Lane, and others that we should take the opportunity to update the surface features of the downtown corridor.

However, I am not yet convinced that we have exactly the right design or the reconstruction process that will work well enough – especially for the downtown business destinations. There are still some critical considerations that have not yet been done nor presented to the Council or Public.

1. Detailed traffic studies of the current Square and proposed rotary options with the A, B, C, D and F ratings, average wait times and traffic volumes like we saw for the Winchester/Key Road traffic circle. This should include a pedestrian risk analysis before and after.
2. True upside benefits for downtown businesses of upgraded sidewalks, elevated crosswalks, more parking (not less – can't support less parking under any circumstances), customer flow, downtown bathrooms, electricity and utility upgrades. Consider less pollution from idling traffic. Include an opportunity cost to businesses of the delay in acquiring a more business and customer friendly downtown. Include both numbers and case study stories that are compelling.
3. The downside risk analysis of the 3-year period of less customer parking, shopping, and traffic and the cash flow effect on the downtown businesses. Again – numbers, case studies, and stories. In engineering, this is called a design failure mode effects analysis or DFMEA. Look at the temporary reduction of tax revenues from ailing and failing businesses and/or raising of taxes on residents to compensate.
4. Detailed layered plans of how to mitigate the effects of item #3 before the businesses have to fold and move out of downtown before reaching the nirvana of item #2.

Also, the proposed plan is missing crucial items. Stakeholders are asking to see variants that include:

- Public bathrooms please, along with fully-loaded operating costs.
- Main street buildings also accessible from the back sides, including parking.
- For the top of the Square, parking, connector road, emergency throughway.

If the *Quasi Committee of the Whole* process allows the Council and key stakeholders more time and visibility for transparent deliberation, workshops, the chance to get it really right, and ends with the MSFI Committee making the final recommendations to the Council, then I am in favor of that process.

Sincerely,



Councilor Raleigh Ormerod



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Eversource's Request to Conduct Tree Trimming on Scenic Roads

Council Action:

In City Council March 2, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting the recommendation from the Conservation Commission be accepted as informational.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends Eversource Energy be authorized to perform all tree trimming services on the requested and designated scenic roads in the City, subject to the following standard conditions: that Eversource Energy make landowners aware of the option for leaving topped dead or diseased trees for purposes of supporting wildlife habitat; and that the tree removal activity is coordinated with the Public Works Department.

Attachments:

None

Background:

Public Works Director/Emergency Management Director Kurt Blomquist stated this item is in reference to a request from Eversource for tree trimming on a number of scenic roads in Keene. Mr. Blomquist explained the Scenic Road Ordinance requires a joint hearing between the City Council and Conservation Commission, which has been held.

Community Development Director Jesse Rounds addressed the Committee next and stated the Conservation Commission met this week and voted to approve the request for tree trimming.

Dane D'Arcangelo, Arborist for Eversource Energy, stated the scenic roads proposed for tree trimming are Peg Shop Road, Chapman Road, Whitcomb's Mill Road, Daniel's Hill Road, Hurricane Road, Langley Road, Felt Road and Stearns Road. He indicated this is a routine trimming which is done every four to five years. They trim a zone around the wires which is measured from the top most wire of the pole; primary wire and from that primary wire they trim 15 feet above that wire, eight feet to each side of the wire and ten feet below the wire. Individual property owners are contacted prior to the trimming, and the City and property owners need to grant permission for trimming.

Mr. D’Arcangelo indicated trimming is necessary to ensure the safe distribution of power and improve the reliability of the electric service for customers. Councilor Powers clarified this trimming is going to be done just on the scenic roads and added one of his constituents has a tree that is causing issues. Mr. D’Arcangelo stated the required public hearing was geared towards specific for scenic roads but they doing trimming throughout the City; half of the city is being trimmed this year.

Councilor Powers stated there is a tree on Felt Road which starts on the right side of the road and has worked its way to the left side and felt it is going to come down at some point and asked whether Eversource will also be looking at this tree as it could be a hazard to their lines. Mr. D’Arcangelo stated at this moment they are focusing their removal efforts on the higher customer account lines which feed the scenic roads. In many instances scenic roads don’t have a lot of customers but the roads feeding the scenic roads do and this is where they are focusing their efforts.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting the recommendation from the Conservation Commission be accepted as informational.

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends Eversource Energy be authorized to perform all tree trimming services on the requested and designated scenic roads in the City, subject to the following standard conditions: that Eversource Energy make landowners aware of the option for leaving topped dead or diseased trees for purposes of supporting wildlife habitat; and that the tree removal activity is coordinated with the Public Works Department.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Sole Source Construction Administration Contract: Wells Street Parking Structure**

Council Action:

In City Council March 2, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to sole source and execute a professional services contract with Desman Associates to perform construction administration/oversight for the Wells Street Parking Structure repair and maintenance project scheduled for spring 2023 for an amount not to exceed \$32,800.

Attachments:

None

Background:

Asst. Public Works Director/Solid Waste Manager Duncan Watson addressed the Committee regarding offering a sole source construction contract to Desman Associates who are the current designers of the repair, and maintenance work that is planned for the Wells Street garage. Mr. Watson explained this work would consist of putting down a new membrane surface that is necessary to preserve the deck as well as some concrete repairs that are going to be throughout different sections of the deck. He indicated the City was very pleased to find out that there were five bidders for the project, and had its design engineers interview the low bidder and determined that the low bidder was qualified and suitable to do this repair work.

Mr. Watson stated this contract is for construction administration to oversee the construction that will happen as soon as the final pieces are in place.

Councilor Remy asked why it's been called sole source if there were five bidders. Mr. Watson explained the bids that were received were from a competitive bid process. The low bidder who is going to be awarded the contract will be overseeing the construction process to make sure all the plans and specifications are adhered to and that there is quality control and quality assurance aspects to this project. The people who designed the work that was bid out are going to be overseeing the work that is going to be done.

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized do all things necessary to sole source and execute a professional services contract with Desman Associates to perform construction administration/oversight for the Wells Street Parking Structure repair and maintenance project scheduled for spring 2023 for an amount not to exceed \$32,800.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: HUD Grant Application

Council Action:
In City Council March 2, 2023.
Report filed as informational.

Recommendation:
On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the update to the HUD Grant Application be accepted as informational.

Attachments:
None

Background:
City Manager Elizabeth Dragon stated she had previously provided a couple of updates related to the HUD lead abatement grant application. She indicated the City has been talking to Cheshire County about potentially partnering with Sullivan County. However, Cheshire County has not been able to take it on. Hence, the City has been looking for another partner and have found another partner – MEDC. The grant would go through the City who will be the grant applicant. MEDC and Sullivan County will be sub-recipients.

Ms. Dragon stated the City is applying for four million dollars for the abatement portion and \$400,000 for Healthy Homes (for related code issues when the lead abatement portion is addressed). If the City is successful, staff will come back and request the Council take a vote to accept and expend the funds.

The Manager stated if the grant is successful the City should be able to complete about 200 units between Cheshire County and Sullivan County. Approximately, 61% of homes in Cheshire County were built before 1978. In 2020 the data estimated that 4,198 kids under the age of 6 of which only 962 were tested in Cheshire County and 33% of them had blood levels over the limit.

The law however, has changed and children under the age of one will be tested and the expectation is this number will increase dramatically. Hence, what this funding would do is allow property owners to access these funds to abate lead in their homes. The Manager stated there are some homes that are actually left vacant until that can happen. However, given the housing crunch the City has been experiencing, this effort seems to be in line. The Manager stated because she has a personal

relationship with the Sullivan County Manager she will not be the project director and won't be in any role deciding any of the applicants, because the money is being directly passed down to MEDC who will be awarding the applications to the homes in Cheshire County. She won't act in the role of project director to avoid any perception of a conflict.

Councilor Chadbourne noted the Manager had indicated 200 units would be completed and asked how that breaks down per unit. The Councilor added she knows of an apartment which is costing the owner \$60,000 to abate. The Manager agreed it is getting more and more expensive and there is a cost to the property owner as well. How much will be allocated to each unit will still need to be worked out if the City is successful in getting the grant. The Councilor went on to say it is her understanding that the State of New Hampshire keeps lowering the threshold hence the numbers will keep going up because the threshold keeps going down.

Councilor Madison asked whether Cheshire County will be providing any matching funds. The Manager stated the City has not gone back to the County but if they are successful with the grant they might go back to the County to see if they would like to partner. She added because Keene is applying for the grants, MEDC and Sullivan County are sub-recipients, the entire region will be covered. She added Cheshire County was not comfortable getting involved in this process as they felt the deadline was too quick even though Sullivan County had the structure in place, Cheshire County still felt rushed. The Manager felt Keene would be helped tremendously by these funds.

Councilor Powers asked whether Council action was required to partner with MEDC. The Manager answered in the negative and added Council action will be required if the City is awarded the grant which will then say Sullivan County and MEDC will be the sub-recipients. The Manager added she will be looking for letters of support from different entities.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the update to the HUD Grant Application be accepted as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Thomas Mullins, City Attorney
Through:
Subject: **Process to Consider the Downtown Infrastructure Improvement and Reconstruction Project - City Attorney**

Council Action:

In City Council March 2, 2023.

Voted to hold one or more Council workshops to consider the report from the ad hoc Downtown Infrastructure Improvement and Reconstruction Project Steering Committee and then to refer the report to the Municipal Services, Facilities and Infrastructure Committee for further discussion and recommendation back to the City Council. The Council voted to allow public input at the workshops.

Recommendation:

Recommend the memorandum from the City Attorney be accepted as informational.

Attachments:

1. Ad hoc Downtown Infrastructure Improvement and Reconstruction Project Steering Committee

Background:

As you proceed through the review of the Report from the Ad Hoc Downtown Infrastructure Improvement and Reconstruction Project Steering Committee, and the decision-making process for the downtown project, and given questions that have arisen regarding the proposed review of the Report by a “quasi” committee of the whole, an explanation of what the committee of the whole entails is appropriate. Whether or not the Council intends to proceed with this proposed process, or use another process, is ultimately a decision to be made by the City Council.

The Rules of the City Council do not specifically contemplate the entire City Council convening together in a committee of the whole. However, Section 38 of the Council Rules incorporates “Robert’s Rules of Order” into the Council Rules for points of order not specifically stated in the Council Rules. Section 52 of Robert’s Rules (10th Ed.) provides that an assembly may meet together as a committee of the whole to consider one or more issues presented to it. A “quasi” committee of the whole is essentially the same as a committee of the whole, but is intended for smaller assemblies like the City Council, has fewer formalities to its operation, and the usual chair of the assembly continues to act as the chair of the committee of the whole.

In order to consider entering into the committee of the whole, the Council must first meet in a properly noticed meeting. At the proper time during the meeting, the question of whether or not to

enter into a committee of the whole will be placed before the Council. The decision to enter into the committee of the whole can occur through the chair requesting consent to do so from the Council. However, if there is an objection, then a motion must be made and seconded recommending that the Council enter into a committee of the whole to consider the Report regarding the downtown infrastructure project. The motion could include a recommendation for the committee to convene immediately to consider the Report, or to convene later at another stated date, time and place. If the motion is approved by majority vote of those present, the Council would then reconvene (either immediately, or at a later date) as a committee of the whole and proceed to consider the Report. In the alternative, if the motion to convene as a committee of the whole fails, then the Report could be considered by the City Council in a Council workshop, or be referred to the proper standing committee in accordance with the regular Council Rules.

Assuming that the Council decides to proceed as a committee of the whole, the proceedings are conducted very much like a regular City Council standing committee meeting, but chaired by the Mayor. However, unlike a regular City Council standing committee meeting, in the committee of the whole, all 15 City Councilors are members of the committee, and each councilor has the same rights of participation as every other councilor, including making motions, amending motions, deliberating motions and acting on motions. In a regular standing committee meeting, councilors who are not on the standing committee must cease their participation in the process once a motion is made, and cannot discuss or vote on any proposed motion before the committee.

The Report under consideration would be presented to the committee of the whole in the same manner as it would be presented in a regular standing committee meeting. Presentations would be made to the committee of the whole by City staff and by the City consultants. Members of the committee would be able to ask questions and discuss the information that is presented to it. Whether or not public participation would be allowed would be a decision made by the committee. The committee could conclude its deliberations and recommendation on the Report in one meeting, or decide to continue the matter for further discussion and action by the committee to a later date.

After the committee of the whole has heard and considered all of the information presented to it, or required by it, the committee would then deliberate the Report, including considering various motions and amendments to motions. After completing its deliberations, the committee would then, by appropriate final motion, make its recommendation back to the City Council. The recommendation back to the City Council could be in any number of different forms. As examples, it could be to approve the project as originally presented in the Report, or to approve the project as amended by the committee; or to place the matter on more time for further consideration; or to not proceed with the project at all; or to refer the matter back to a regular Council standing committee for further review and recommendation. Whatever the final motion is, once it is acted upon by the committee of the whole, the committee of the whole terminates, and the recommendation is then placed before the City Council for further consideration.

Once the recommendation is before the City Council, it is acted upon by the Council just like any other committee recommendation presented to the Council. The Council can adopt the recommendation; amend it; deny it; refer it back to a regular standing committee; or place it on the table for further consideration and discussion by the Council. Recall that, once a final decision is made on the committee recommendation, Council Rule 33 provides that the identical subject matter cannot be taken up again during the same calendar year except upon a proper motion to reconsider, or a proper suspension of the Rules.

I understand that referring the Report to the proposed committee of the whole is not a process that the Council has used previously. If the Council decides not to proceed with this proposed process,

the Council can still consider the Report in one or more City Council workshop formats and thereafter refer the matter to MSFI, or simply directly refer the matter to MSFI for further consideration and recommendation back to the City Council.



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: January 5, 2023
To: Mayor and Keene City Council
From: Kurt Blomquist, ACM/Public Works Director
Through: Elizabeth Dragon, City Manager
Subject: **Ad Hoc Downtown Infrastructure Improvement and Reconstruction Project Steering Committee's Recommendations**

Council Action:

In City Council January 5, 2023.

Public information open house scheduled for Monday, January 30, 2023 at 5:00 PM at the Keene Public Library. A second public information session scheduled for Tuesday, February 21, 2023 at 6:00 PM in the Keene High School Auditorium. Item referred to the City Council, convening as a Quasi-Committee of the Whole, to discuss and recommend a preferred design option.

Recommendation:

Recommend that the Ad Hoc Downtown Infrastructure Improvement and Reconstruction Project Steering Committee's recommendations be forwarded to the City Council, as a Quasi-Committee of the Whole, for their consideration.

Attachments:

None

Background:

The City through the Capital Improvement Program (CIP) has been planning for the replacement and upgrade to the existing underground infrastructure in Central Square and Main Street. The infrastructure includes:

- Stormwater,
- Water,
- Sewer,
- Telecommunication,
- Electrical,
- Broadband,
- Irrigation, and
- Building services

The utility infrastructure work will require the removal of pavement and sidewalks from building face to building face. Since the last major reconstruction, the downtown has been changing from a

primarily mercantile area to an area of entertainment, restaurants, and community gatherings. To keep the downtown vibrancy into the future it has been identified that the area should support the concept of live, work and play. To further the goal of maintain vibrancy the City Council adopted changes in zoning to encourage development that would support live, work and play spaces and there is a need that the public infrastructure and public spaces should support this chosen direction for the future.

There has been discussions within the community that downtown does not meet the needs and interest of the community, residents in the area and users for social gatherings/event spaces, open and flexible spaces for use by merchants and businesses, public art displays, enhanced pedestrian and bicycle facilities. As surfaces are placed back down this provides the opportunity to make improvements to support future interest, demands and needs. Potential improvements include.

- Sidewalk areas
- Street and parking configurations,
- Intersection improvements,
- Pedestrian and bicycle facilities (street crossing, etc.),
- Wayfinding signage,
- Gathering spaces/event areas, and Open spaces and
- Redesign of Rail Road Square and Gilbo Avenue.

To assist in developing recommendations how the downtown area should be put back together for consideration by the City Council, the Mayor appointed an Ad-Hoc committee in March 2022. The committee was charged with:

To review the scope and design of utility replacements as well as improvements to the downtown area. The ad hoc Committee will serve as an advocate for the project and be the host for any public interaction events. Finally, the ad hoc committee will make its recommendations to the City Council with regards to the project.

The Mayor appointed 11 members that included City Councilors, Keene State College representative, downtown business and property owners, and representative from the Colonial Theater. The committee met publically seven (7) times between August and December 2022.

The Committee established goals for their review of options and potential improvements. The goals identified:

- Utility infrastructure improvements,
- Define/Expand Downtown District,
- Support a more sustainable built environment and transportation choices,
- Strengthen image, character, including arts and history,
- Expand flexible open space,
- Improve multimodal transportation access,
- Provide adequate parking, and
- Upgrade walking environment.

As part of the process, the Committee identified issues, opportunities and concerns. The Committee sponsored two (2) public workshops, June 29, 2022 and October 6, 2022. These workshops gathered information from the public on how downtown functioned, what improvements to functionality should be considered, and what community members and business liked and disliked about the spaces. Information was placed on an interactive website where the public could provide comment and identify areas and ideas for adjustments. The committee at their public meetings

reviewed and received updates on the project including outreach and engagement, reports on the project websites, surveys, and communications. The committee reviewed data and information on existing conditions including:

- Utilities,
- Open spaces,
- Parking inventory and utilization,
- Existing traffic volumes, patterns and circulation including emergency response routes,
- Crosswalks and pedestrian volumes and facilities,
- Bicycle and transit facilities,
- Tree Inventory and conditions survey.

In reviewing the project area, the Committee identified three unique topological areas.

- Central Square,
- Main Street,
- Gilbo Avenue/Railroad Square, and
- Parking connection routes.

Based on review of data, input from public workshops, communication and discussions the Committee identified multiple options for considerations.

- Minimal Option – expanded pedestrian zones where possible, maintain angled parking in the project area, remove parking in middle, maintain a landscaped median, maintain two traffic lanes in both directions, in Central Square maintain current traffic pattern with smaller circulation areas and increasing sizes of islands and upgraded signal system.

- Main Street

1. Multi-modal facilities with multiple vehicle lanes – expanded pedestrian zones, angled and parallel parking, removal of center parking, dedicate/protected bicycle lanes, and planted medians.
2. Multi-modal with single vehicle lanes - expanded pedestrian zones, angled and parallel parking, dedicate/protected bicycle lane, planted medians.
 - o Included intersection improvements (roundabouts) at Main St/Gilbo Ave/Railroad St and main St/Emerald/Eagle Ct intersections.

- Central Square

1. Northern expansion of Common (elimination of northern crossover lanes) with signals.
2. Northern expansion of Common (elimination of northern crossover lanes) with roundabout.

- Gilbo Avenue/Railroad Street and Railroad Square

1. Plaza with two-way travel lanes – maintain two-way traffic and eliminate parking between Main Street and St James Street. Maintain Railroad Street configuration and eliminate parking along north side.
2. Plaza with one-way travel lanes – one travel lane in westerly direction (Main Street to St James Street) and eliminate parking between Main Street and St James Street. Maintain Railroad Street

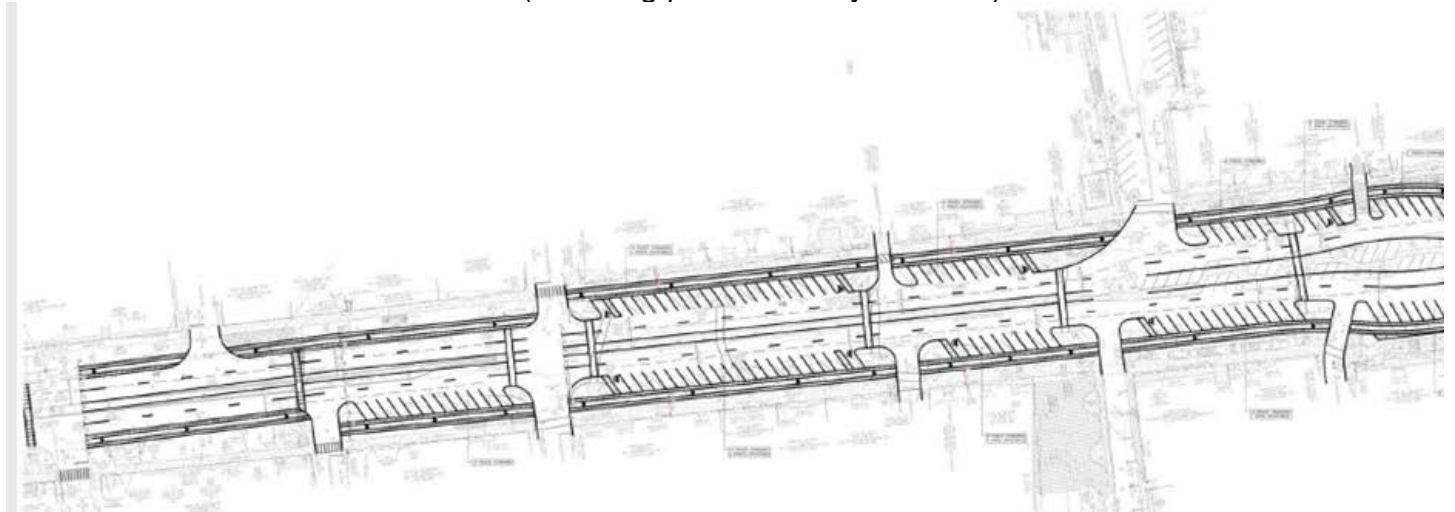
configuration and eliminate parking along north side.

3. Raised Plaza with one-way travel lanes raise/level road grade on Gilbo Avenue from St James Street across Main Street and onto Rail Road Street. - This would create a level plaza area connecting Railroad Street to Gilbo Avenue along with a large speed table on Main Street for traffic calming and pedestrian safety improvements.

The committee discussed and evaluated options against the established goals and the feedback being received through the various public engagement processes. The Committee at its December 13, 2022 took public comment on the options under consideration. After discussion, the Ad-hoc Committee voted, with the majority of members present, the following recommendations that best met the project goals. The following recommendations are being forwarded for consideration by the City Council and continued public input.

Main Street

- Two travel lanes for north and south directs
- Angled parking throughout project area, and consolidation of crosswalks,
- Increased sidewalk/flexible space, and
- Inclusion of multi-modal facilities (including protected bicycle lanes).



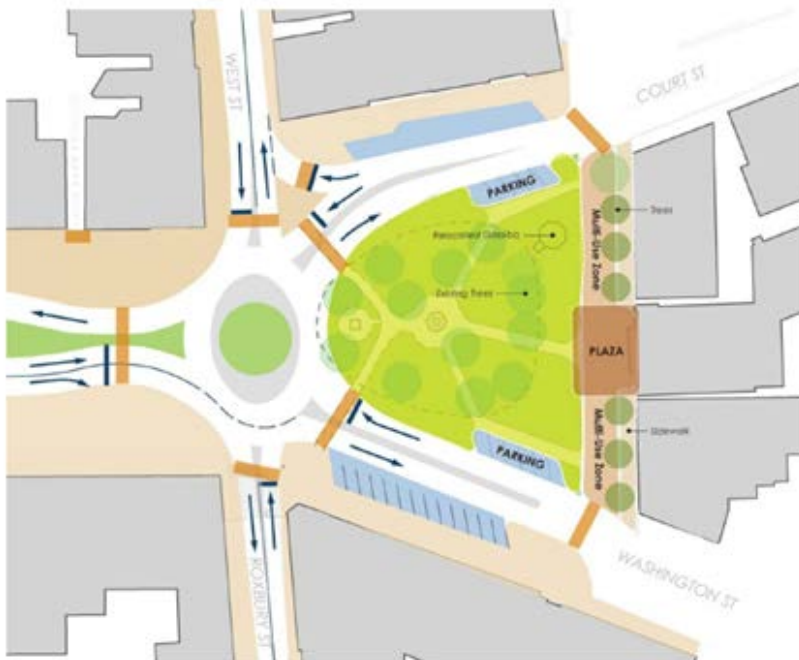
Gilbo Avenue/Railroad Square

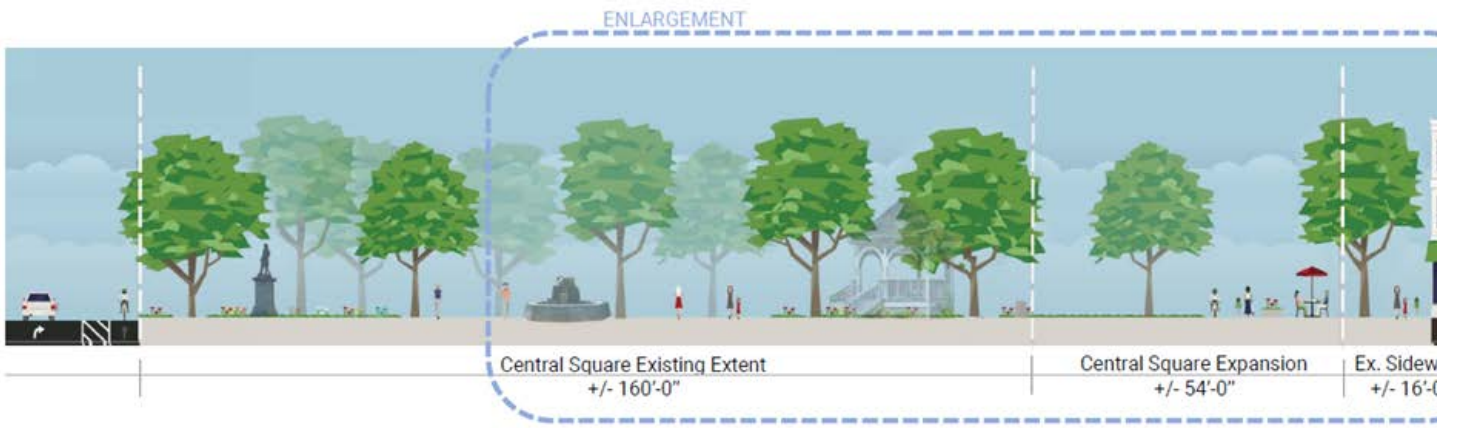
- One-way travel lane on Gilbo Avenue from Main Street to St James Street,
- Maintain parking along Gilbo Avenue,
- Raised plaza area from St James Street to Railroad Square across Main Street (creating a speed table),
- Adjust mutli-use trail to the north in Railroad Square, and
- Maintain Railroad Street in one-way direction to the east.



Central Square

- Expand the Common to the north,
- Add angled parking along east and west side of the Common, and
- Use a roundabout for traffic pattern.





The Ad-hoc Committee anticipates that the City Council would continue a public process using the committee's work as a starting place.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.2.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Patricia Little, City Clerk
Through:
Subject: **Municipal Primary Charter Amendments - City Clerk**

Council Action:

In City Council March 2, 2023.

Referred to the Finance, Organization and Personnel Committee.

Recommendation:

That the memorandum regarding potential changes to the Municipal Primary be referred to the Finance, Organization and Personnel Committee for their review and recommendation.

Attachments:

None

Background:

During the recent discussion before the FOP Committee regarding a potential charter amendment to the municipal primary, I shared two points that deal with the administration of the municipal primary that warrant further clarity through a charter amendment.

The current charter language requires a primary be held if more than 2 candidates file for the office of Mayor or Ward Councilor or more than 10 candidates file for the office of At-Large Councilor. The first issue that deserves clarity in the charter language deals with a situation where a primary is not triggered in the office of Mayor or At-Large Councilor, but it is triggered by having more than 2 candidates file for a Ward Council seat. Even though we have never experienced this specific situation, I have learned from my conversations with other cities which have similar provisions in their Charter, that the primary election is only held in those wards where the actual contest exists. In conversations that I have had with representatives of the Secretary of State's Office; they concurred with this practice and explained that under State Law, a city ward is the same as a town for election law purposes. Keene's five wards are distinct and separate from each other.

The second issue deals with which offices are printed on a primary ballot. Again, the practice in other cities is that if a primary is required, the only offices on the ballot are those which have an actual contest for that office. Historically, we have shown all offices on a primary ballot regardless of whether there was a contest or not. This extends to the offices of Moderator, Ward Clerk, Selectmen and Checklist Supervisor. Although there has been a benefit to having these offices on a primary ballot for potential write-ins, there is an appointment process that can be used to fill any vacancies that might exist after the election.

These proposed changes to the City Charter would result in cost savings for conducting a primary election in the areas of staffing, ballot coding and ballot printing. The proposed charter changes would also result in a fairly substantial decrease in the effort at the end of the election in terms of identifying votes cast for offices that were not required to be on the ballot.

If the Council was supportive of a Charter amendment, language would need to be added to the existing charter language to clarify the following:

If a primary is required for the office of Mayor or Councilor At-Large, the primary will be held City-wide and when required the ballot will only contain the offices (Mayor and/or Councilor At-Large) with a contest.

If a primary is only required for the office of Ward Councilor in a specific ward, the primary will be held in that ward and the ballot will only contain the office of Ward Councilor.

The offices of Moderator, Ward Councilor, Selectmen, and Checklist Supervisor will never be shown on a primary ballot.

As indicated previously, the charter amendment process is a lengthy one with many statutory timelines, but there is time before the fall's general election to go through that amendment process.



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: March 2, 2023
To: Mayor and Keene City Council
From: Thomas Mullins, City Attorney
Through:
Subject: Relative to the Library Board of Trustees
Ordinance O-2023-05

Council Action:
In City Council March 2, 2023.
Referred to the Finance, Organization and Personnel Committee.

Recommendation:
That the attached Ordinance O-2023-05, Relative to the Library Board of Trustees, be referred to the Finance, Organization and Personnel Committee for consideration and recommendation back to City Council.

Attachments:
1. O-2023-05 - Relative to the Library Board of Trustees_referral

Background:
The duties and authority of the Library Board of Trustees were codified into the City Code in 1970, and in accordance with the Thayer Agreement of 1898, when the building housing the original library was gifted to the City. In addition to City Code, and the Thayer Agreement, the Library Trustees are governed by RSA 202-A:1, *et seq.* In accordance with that statute, the City Council must provide the Library Trustees with the specific authority to apply for, accept, and expend unanticipated funds which may become available during the fiscal year, and to accept gifts of personal property other than money. However, the 1970 City Code does not provide that specific authority. Accordingly, the proposed amendments are intended to correct that omission and to provide that authority to the Board of Library Trustees.

The recommendation is to adopt the proposed amendments to the City Code for the Library Board of Trustees.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to the Library Board of Trustees

Be it ordained by the City Council of the City of Keene, as follows:

That the Ordinances of the City of Keene, New Hampshire, as amended, are hereby further amended by deleting the stricken text and inserting the bolded text from the provisions of Chapter 2, ADMINISTRATION; Article V, BOARDS AND COMMISSIONS; Division 13, LIBRARY BOARD OF TRUSTEES, as follows:

DIVISION 13. LIBRARY BOARD OF TRUSTEES

Sec. 2-956. Established, Thayer Agreement.

The library board of trustees was established pursuant to an agreement between Edward C. Thayer and the city. The library board operates under that agreement and is therefore not a board or department of the city in the traditional sense. The agreement between Mr. Thayer and the city consisted of a proposal by Mr. Thayer and an acceptance by the city. Copies of the Edward C. Thayer proposal and the city vote of acceptance follow:

"May 31, 1898

"To the Mayor and City Councils of the City of Keene:

"Having long felt that our growing City required much better accommodations for their public library than they now possess, and knowing how essential to every community are the advantages of possessing a building with pleasant surroundings and ample room, I submit to your honorable body the following proposition.

"Having secured lot and buildings on West Street, number 79, for the purpose, I will make such additions and alterations to the same as will make it convenient for a free public library, reading rooms, an art room, a museum, a lecture room for literary subjects and literary entertainments, and I desire it to be devoted to no other purpose whatever, and I will convey said lot and buildings thereon so completed to said City of Keene on the following conditions, to wit:

"That the City accept this offer and my donation of said lot and building when completed, with the provision that the use thereof shall be limited to the purposes aforesaid, and will move into and establish in said building the present City library, and will thereafter assume and pay the expenses of repairing, maintaining and keeping in good condition the said real estate.

"That the City will provide by vote or by law, or both, however it may be necessary so to do, that the control and government of the library and the real estate shall be permanently vested in a Board of Trustees, 12 in number, six of whom shall be permanent Trustees appointed by me at the time of conveyance, from among the resident taxpayers of the City of Keene, and the other six shall be elected by the City for the term of three years, two to be elected each year. Any vacancy in the number of permanent Trustees shall be filled by the remaining permanent trustees. Vacancies shall only be occasioned by death, removal from the City, or resignation. There shall in no case be a number of Trustees elected by the City in excess of the permanent Trustees.

"Upon legal acceptance of this offer by the City of Keene, I will at once proceed to carry it into effect.

"Very truly yours

"Edward C. Thayer"

At a regular meeting of the city council held June 6, 1898, a resolution was unanimously passed as follows:

"Resolved by the City Council of the City of Keene, as follows:

"That said City accepts the proposition of Edward C. Thayer, made in writing and dated May 31, 1898, to convey to said City, lot and buildings Number 79 West Street, when altered and fitted by him for the purpose named in said proposition, and hereby binds itself to observe and perform the conditions named in said proposition.

"State Law (NHRSA, Chapter 202-A) requires cities and towns having a public library to raise and appropriate sufficient funds to maintain adequate library service. The applicable statute is RSA 202-A:4 which provides that any city or town having a public library shall annually raise and appropriate a sum of money sufficient to provide and maintain adequate library service therein or to supplement funds otherwise provided."

Sec. 2-957. Membership.

The library board of trustees consists of 12 members.

Sec. 2-958. Terms.

Six members of the library board of trustees are permanent trustees as provided in the Thayer Agreement, and six members shall be appointed by the mayor and city council for three-year terms. Terms of the six city trustees shall be staggered so that two board members shall be appointed in July of each year.

Sec. 2-959. Duties.

The library board of trustees:

- (1) Hires the library director and establishes the policy under which the library director operates.
- (2) Hears citizen comments on the quality of service provided by the library.
- (3) Determines methods of improving the impact of the library on the educational and cultural resources of the city and the surrounding area.

- (4) Has the responsibility for the control and general management of the library facilities, property and employees.
- (5) Controls, manages, invests and expends trust funds donated or bequeathed to the library, or to the library trustees, for use of the library.
- (6) Has no authority to pledge the credit of the city beyond the amount of the city's budgetary appropriation for the library.
- (7) Determines when it is appropriate to do so and appears before state and federal agencies to request financial assistance for the library and library programs as such funds become available.
- (8) Prepares and requests budgetary appropriations from the city council annually.
- (9) Furnishes annual reports of library operation to the city as required by state law.
- (10) Prepares and submits to the City a report on the acceptance of unanticipated and Non-Restricted Funds as defined in section 2-960 (5) of \$5,000.00 or more within a reasonable time after the acceptance of the funds.**

Sec. 2-960. Sources of financial support.

The sources of financial support of the library are as follows:

- (1) An annual appropriation by the city.
- (2) Trust funds donated or bequeathed to the city and controlled, managed, and invested by the city trustees of trust funds.
- (3) Trust funds donated or bequeathed to the library or the library trustees and controlled, managed and invested by the library board of trustees.
- (4) Fines and payments.
- (5) ~~Miscellaneous gifts and donations.~~ **Unanticipated Funds: The Library Trustee shall have the authority to apply for, accept, and expend, unanticipated money from public or private sources in accordance with any public hearing requirements of RSA 202-A:4-c (“Non-Restricted Funds”). Any funds available through direct federal grants, or federal pass through grants, all grants of \$5,000.00 or more from any source, and all grants or donations of money intended to support library payroll related expenses (collectively “Restricted Funds”) shall be accepted by, and managed by, the City.**
- (6) **Gifts of Personal Property: The Library Trustees shall have the authority to accept gifts of personal property, other than money, in accordance with RSA 202-A:4-d. No acceptance of any personal property under the authority of this section shall bind the City or the Library Trustees to raise, appropriate, or expend any public funds for the operation, maintenance, repair, replacement or scheduled insurance of such personal property. Personal property gifts that would require the City or the Library Trustees to raise, appropriate, or expend any public funds for the operation, maintenance, repair, replacement or scheduled insurance of such personal property, shall be submitted to the City for consideration and action, and a report of any gifts of personal property that was accepted under section 2-960(6) which does not require the expenditure of public funds for the operation, maintenance, repair, replacement or scheduled insurance of such**

personal property, and which report shall also state how the Library Board of Trustees will fund such personal property.

Sec. 2-961. Relationship to city.

Because the city furnishes the major financial support of the library, and because the library is a public trust primarily serving the city, the library board of trustees shall:

- (1) Furnish the city manager and/or the city council, from time to time during the year and when requested, such detailed financial information as the council or the manager may require either for budgetary purposes or for the purpose of ensuring the utilization of city funds in accordance with the terms of city appropriations.
- (2) Cooperate with the city in the adoption of employee pay scales, fringe benefits, and auditing and accounting procedures.
- (3) Urge members of the city council or committees thereof to attend their meetings.

Secs. 2-962—2-990. Reserved.

George S. Hansel, Mayor

In City Council March 2, 2023.
Referred to the Finance, Organization,
Personnel Committee.


City Clerk